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U. S. Department of Justice



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United States Attorney
Eastern District of North Carolina

FOR IMMEDIATE RELEASE:

Tuesday - November 15, 2005

NEWS RELEASE

WILMINGTON, NORTH CAROLINA
SURVEYOR PLEADS GUILTY TO ENVIRONMENTAL AND
FALSE STATEMENT VIOLATIONS

Raleigh - United States Attorney Frank D. Whitney announced that MICHAEL TODD BALL, currently of Loganville, Georgia, entered a guilty plea in federal court in New Bern, North Carolina, on Tuesday, November 15, 2005, before Chief U.S. District Court Judge Louise W. Flanagan. Pursuant to a written plea agreement with the U.S. Attorney's Office, BALL pled guilty to a conspiracy to make material false statements and to violate the Clean Water Act, a substantive violation for material false statements, and a substantive violation of the Clean Water Act. According to the Criminal Information, BALL conspired with other individuals to falsify wetlands delineation maps for certain properties, to: (1) avoid the regulatory process; and (2) make the land appear to be suitable for development, when, in fact, the properties contained substantial jurisdictional wetlands and, if accurately reported, would have prohibited the unlawful filling in of protected wetlands.

According to the Criminal Information, BALL was solicited by another to assist in the preparation of delineation maps for certain properties in the Eastern District of North Carolina, and

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agreed to falsely represent the true nature of the wetlands located on those properties. Thereafter, BALL forged the signature of a United States Army Corps of Engineers' (USACOE) official on the delineation map. The false delineation maps were provided to USACOE officials to justify land-clearing activities which impacted regulated wetlands. The current landowners, in conjunction with regulatory agencies, are working to mitigate the damage at the site.

U.S. Attorney Whitney stated, "Wetlands perform important ecological functions. The agreement reached in this case continues this office's commitment to prosecuting environmental crimes and protecting the natural resources of North Carolina."

"This case sends a message to those in industry who are in positions of leadership. Developers and wetland delinators who chose to commit environmental crimes will be investigated and held accountable. The guilty plea in this investigation are the direct result of the strong working relationship the Criminal Investigative Division enjoys with the NC State Bureau of Investigation, Army Corp of Engineers, and the United States Attorney's Office" stated Special Agent in Charge Fred Burnside of the U.S. Environmental Protection Agency's Criminal Investigation Division.

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Investigation of this case was conducted by the U.S. Environmental Protection Agency's Criminal Investigation Division; North Carolina State Bureau of Investigation; Defense Criminal Investigative Service; U.S. Army Corps of Engineers; and Army Criminal Investigation Division. Assistant U.S. Attorney Banumathi Rangarajan is prosecuting the case for the government.

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